



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

Tuesday, the Twentieth day of August Two Thousand and Nineteen

WEB COPY

PRESENT

THE HON`BLE MR.JUSTICE M.SATHYANARAYANAN
AND
THE HON`BLE MR JUSTICE B.PUGALENDHI

WP(MD) . NO.24672 OF 2018

A.MURUGESAN

... PETITIONER

VS

1 THE DISTRICT COLLECTOR,
THANJAVUR, THANJAVUR DISTRICT.

2 THE DISTRICT MANAGER,
TASMAC, 50/57 TANSIDCO CAMPUS
NANJIKOTTAI ROAD, THANJAVUR THANJAVUR DISTRICT.

... RESPONDENTS

Petition filed under Article 226 of the Constitution of india,
Praying this Court to issue a writ of Mandamus, forbearing the
respondents from opening a TASMAC Shop in the building situated in
Survey Number 444/3C2A bearing door number 4/2 in Nagai Main Road
near Mariamman Koil within Kannithoppu Panchayat limits in
Papanasam Taluk, Thanjavur District.

TO

Mr.R.Mohamed Riyaz
Enrol.No.1793/19, Chamber No.51,
Law Chambers, Madurai Bench of Madras High Court

Whereas this court hath in order dated 20.08.2019, and made
herein appointed

Mr.R.Mohamed Riyaz
Enrol.No.1793/19, Chamber No.51,
Law Chambers, Madurai Bench of Madras High Court

as Advocate Commissioner and his remuneration is fixed as
Rs.5,000/- (Rupees Five Thousand only). Since the Tamil Nadu State
Marketing Corporation Ltd., (TASMAC) is engaged in commercial
activities, the remuneration and incidental expenses to the
Advocate Commissioner shall be met by the second respondent/TASMAC.



The Advocate Commissioner is directed to cause a surprise inspection and ascertain as to

i) the distance from the TASMACH shop to the nearby Hospitals, Schools, Government Institutions, Places of worship and other places of public importance;

ii) whether the shop is located in consonance with the Tamil Nadu Liquor Retail Vending (Shops and Bars) Rules, 2003 and the directions issued by the Hon'ble Supreme Court in **State of Tamil Nadu and others v. K.Balu and another**, reported in **(2017) 2 SCC 281** ?

iii) whether any bar is attached to the shop in question and if not, how and where the customers consume liquor ? and

iv) whether the shop is running in a hygienic condition without causing and inconvenience to the general public?

and the report of the Commissioner with photographs shall reach this Court Positively by 16.09.2019.

the matter stands posted on 16.09.2019.

Witness The Hon'ble SHRIMATI.VIJAYA KAMLESH TAHILRAMANI, The Chief Justice of the High Court of Judicature at Madras on Tuesday, the Twentieth day of August Two Thousand and Nineteen (20.08.2019)

ASSISTANT REGISTRAR(CS-III)

ORDER DATED : 20/08/2019

HEARING DATE : 16.09.2019

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Advocate Commissioner
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Giving direction and etc.
as stated within.

db (CO)
TR (30.08.2019) 2P 3C